



Docket 61036
Express Mail Label No. EV492345615US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: P. Feldman, et al.

Serial No.: 09/980,680

Examiner: B. Coleman

Filing Date: 31 Oct 2001

Art Unit: 1624

For: SHORT-ACTING BENZODIAZEPINES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

*See applied
only*

AMENDMENT

Applicants are in receipt of the Office Action dated November 10, 2004. Please amend the above-identified application as follows.

An amendment to the specification is set forth on page 2 of this paper.

A listing of pending claims begins on page 3 of this paper.

Remarks begin on page 16 of this paper.

2005/03/10 10:00 AM
RECEIVED
UNITED STATES PATENT AND TRADEMARK OFFICE
ALEXANDRIA, VA 22313-1450

None of the Yukimasa et al., Thorsett et al. or Wu et al. document disclose such compounds. Accordingly, withdrawal of the rejections are requested. See, for instance, See *In re Marshall*, 198 USPQ 344, 346 (CCPA 1978) (“[r]ejections under 35 U.S.C. §102 are proper only when the claimed subject matter is identically disclosed or described in the prior art.”)

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Corless', written over a horizontal line.

Peter F. Corless (Reg. 33,860)
EDWARDS & ANGELL, LLP
P.O. Box 55874
Boston, MA 02205
(617) 439-4444